

DI-257-75

29 January 1975

MEMORANDUM FOR: Director, Geographic & Cartographic Research
Director, Central Reference Service
Director of Current Intelligence
Director of Economic Research
Director of Strategic Research
Director of Political Research

STATSPEC

[REDACTED]
Director, Imagery Analysis Service
Chief, DDI Management Staff
Chief, DDI Executive Staff
Chief, COMIREX Staff
Chief, Collection Guidance & Assessment Staff
Chief, Special Study Group
Chief, SALT Support Staff
Chief, CIA Operations Center

SUBJECT : Retention of Materials that May Be Related
to the S. Res. 21 Investigation

The attached papers outline the scope of the investigation to be conducted by the Senate Select Committee and a request from Senators Mansfield and Scott that the Agency not destroy or dispose of any records or documents which might have a bearing on the investigation. Please take the steps necessary to ensure that their request and Mr. Colby's instructions on compliance are carried out.

[REDACTED] STATINTL

EDWARD W. PROCTOR
Deputy Director for Intelligence

Attachments

Distribution:

1 - Ea Addressee

1 - DDI File

1 - [REDACTED]

1 - [REDACTED]

STATINTL

75-462/1

28 January 1975

MEMORANDUM FOR: See Distribution

SUBJECT : Retention of Materials that May Be Related
to the S. Res. 21 Investigation

Pursuant to the attached request, it is directed that you take the necessary steps to ensure compliance. You will convey instructions to all subordinate components or offices within your jurisdiction to ensure that any records or documents that may have a bearing on Senate Resolution 21 not be destroyed or removed from our possession or control.

STATINTL

W. E. Colby
Director

Attachments:

Letter dated 27 January 1975 from Senators Scott and Mansfield with enclosure (S. Res. 21)

Distribution:

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Calendar No. 2

94TH CONGRESS
1ST SESSION

S. RES. 21

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1975

Mr. PASTORE submitted the following resolution; which was ordered to be placed
on the calendar (under general orders)

RESOLUTION

To establish a select committee of the Senate to conduct an investigation and study with respect to intelligence activities carried out by or on behalf of the Federal Government.

1 *Resolved*, To establish a select committee of the Senate
2 to conduct an investigation and study of governmental oper-
3 ations with respect to intelligence activities and of the
4 extent, if any, to which illegal, improper, or unethical ac-
5 tivities were engaged in by any agency of the Federal
6 Government or by any persons, acting individually or in
7 combination with others, with respect to any intelligence
8 activity carried out by or on behalf of the Federal Govern-
9 ment; be it further

10 *Resolved*, That (a) there is hereby established a select

1 committee of the Senate which may be called, for con-
2 venience of expression, the Select Committee To Study
3 Governmental Operations With Respect to Intelligence Ac-
4 tivities to conduct an investigation and study of the extent, if
5 any, to which illegal, improper, or unethical activities were
6 engaged in by any agency or by any persons, acting either
7 individually or in combination with others, in carrying out
8 any intelligence or surveillance activities by or on behalf
9 of any agency of the Federal Government.

10 (b) The select committee created by this resolution
11 shall consist of eleven members of the Senate, six to be
12 appointed by the President of the Senate from the majority
13 members of the Senate upon the recommendation of the
14 majority leader of the Senate, and five minority members of
15 the Senate to be appointed by the President of the Senate
16 upon the recommendation of the minority leader of the
17 Senate. For the purposes of paragraph 6 of rule XXV of the
18 Standing Rules of the Senate, service of a Senator as a
19 member, chairman, or vice chairman of the select committee
20 shall not be taken into account.

21 (c) The majority members of the committee shall select
22 a chairman and the minority members shall select a vice
23 chairman and the committee shall adopt rules and procedures
24 to govern its proceedings. The vice chairman shall preside

25 over meetings of the select committee during the absence
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1 of the chairman, and discharge such other responsibilities
2 as may be assigned to him by the select committee or the
3 chairman. Vacancies in the membership of the select com-
4 mittee shall not affect the authority of the remaining mem-
5 bers to execute the functions of the select committee and
6 shall be filled in the same manner as original appointments
7 to it are made.

8 (d) A majority of the members of the select committee
9 shall constitute a quorum for the transaction of business, but
10 the select committee may affix a lesser number as a quorum
11 for the purpose of taking testimony or depositions.

12 SEC. 2. The select committee is authorized and directed
13 to do everything necessary or appropriate to make the in-
14 vestigations and study specified in subsection (a) of the
15 first section. Without abridging in any way the authority
16 conferred upon the select committee by the preceding
17 sentence, the Senate further expressly authorizes and directs
18 the select committee to make a complete investigation and
19 study of the activities of any agency or of any and all persons
20 or groups of persons or organizations of any kind which
21 have any tendency to reveal the full facts with respect to
22 the following matters or questions:

23 (1) Whether the Central Intelligence Agency has
24 conducted an illegal domestic intelligence operation in

1 (2) The conduct of domestic intelligence or coun-
2 terintelligence operations against United States citizens
3 by the Federal Bureau of Investigation or any other
4 Federal agency.

5 (3) The origin and disposition of the so-called Hus-
6 ton Plan to apply United States intelligence agency
7 capabilities against individuals or organizations within
8 the United States.

9 (4) The extent to which the Federal Bureau of In-
10 vestigation, the Central Intelligence Agency, and other
11 Federal law enforcement or intelligence agencies coordi-
12 nate their respective activities, any agreements which
13 govern that coordination, and the extent to which a lack
14 of coordination has contributed to activities or actions
15 which are illegal, improper, inefficient, unethical, or con-
16 trary to the intent of Congress.

17 (5) The extent to which the operation of domestic
18 intelligence or counterintelligence activities and the
19 operation of any other activities within the United States
20 by the Central Intelligence Agency conforms to the leg-
21 islative charter of that Agency and the intent of the
22 Congress.

23 (6) The past and present interpretation by the
24 Director of Central Intelligence of the responsibility to

1 the provision in section 102(d)(3) of the National
2 Security Act of 1947 (50 U.S.C. 403(d)(3)) that
3 "... that the agency shall have no police, subpoena, law
4 enforcement powers, or internal security functions. ..."

5 (7) Nature and extent of executive branch over-
6 sight of all United States intelligence activities.

7 (8) The need for specific legislative authority to
8 govern the operations of any intelligence agencies of
9 the Federal Government now existing without that
10 explicit statutory authority, including but not limited to
11 agencies such as the Defense Intelligence Agency and
12 the National Security Agency.

13 The nature and extent to which Federal agencies
14 cooperate and exchange intelligence information and
15 the adequacy of any regulations or statutes which
16 govern such cooperation and exchange of intelligence
17 information.

18 (9) The extent to which United States intelligence
19 agencies are governed by Executive orders, rules, or
20 regulations either published or secret and the extent
21 to which those Executive orders, rules, or regulations
22 interpret, expand, or are in conflict with specific legis-
23 lative authority.

24 (10) The violation or suspected violation of any

1 State or Federal statute by any intelligence agency or
2 by any person by or on behalf of any intelligence agency
3 of the Federal Government including but not limited
4 to surreptitious entries, surveillance, wiretaps, or eaves-
5 dropping, illegal opening of the United States mail, or
6 the monitoring of the United States mail.

7 (11) The need for improved, strengthened, or con-
8 solidated oversight of United States intelligence ac-
9 tivities by the Congress.

10 (12) Whether any of the existing laws of the
11 United States are inadequate, either in their provisions
12 or manner of enforcement, to safeguard the rights of
13 American citizens, to improve executive and legislative
14 control of intelligence and related activities, and to re-
15 solve uncertainties as to the authority of United States
16 intelligence and related agencies.

17 (13) Whether there is unnecessary duplication of
18 expenditure and effort in the collection and processing
19 of intelligence information by United States agencies.

20 (14) The extent and necessity of overt and covert
21 intelligence activities in the United States and abroad.

22 (15) Such other related matters as the committee
23 deems necessary in order to carry out its responsibilities
24 under section (a).

1 the investigation and study authorized and directed by this
2 resolution, the Senate hereby empowers the select committee
3 as an agency of the Senate (1) to employ and fix the com-
4 pensation of such clerical, investigatory, legal, technical,
5 and other assistants as it deems necessary or appropriate,
6 but it may not exceed the normal Senate salary schedules;
7 (2) to sit and act at any time or place during sessions,
8 recesses, and adjournment periods of the Senate; (3) to hold
9 hearings for taking testimony on oath or to receive docu-
10 mentary or physical evidence relating to the matters and
11 questions it is authorized to investigate or study; (4) to
12 require by subpoena or otherwise the attendance as witnesses
13 of any persons who the select committee believes have
14 knowledge or information concerning any of the matters
15 or questions it is authorized to investigate and study; (5)
16 to require by subpoena or order any department, agency,
17 officer, or employee of the executive branch of the United
18 States Government, or any private person, firm, or corpora-
19 tion, to produce for its consideration or for use as evidence
20 in its investigation and study any books, checks, canceled
21 checks, correspondence, communications, document, papers,
22 physical evidence, records, recordings, tapes, or materials re-
23 lating to any of the matters or questions it is authorized to
24 investigate and study which they or any of them may have
25 in their custody or under their control; (6) to make to the

1 Senate any recommendations it deems appropriate in respect
2 to the willful failure or refusal of any person to answer ques-
3 tions or give testimony in his character as a witness during
4 his appearance before it or in respect to the willful failure
5 or refusal of any officer or employee of the executive branch
6 of the United States Government or any person, firm, or
7 corporation to produce before the committee any books,
8 checks, canceled checks, correspondence, communications,
9 document, financial records, papers, physical evidence,
10 records, recordings, tapes, or materials in obedience to any
11 subpoena or order; (7) to take depositions and other testi-
12 mony on oath anywhere within the United States or in any
13 other country; (8) to procure the temporary or intermit-
14 tent services of individual consultants, or organizations there-
15 of, in the same manner and under the same conditions as
16 a standing committee of the Senate may procure such serv-
17 ices under section 202 (i) of the Legislative Reorganiza-
18 tion Act of 1946; (9) to use on a reimbursable basis, with
19 the prior consent of the Committee on Rules and Adminis-
20 tration, the services of personnel of any such department
21 or agency; (10) to use on a reimbursable basis or other-
22 wise with the prior consent of the chairman of any sub-
23 committee of any committee of the Senate the facilities or
24 services of any members of the staffs of such other Senate
25 committees or any subcommittees of such other Senate com-

1 mitted whenever the select committee or its chairman deems
2 that such action is necessary or appropriate to enable the
3 select committee to make the investigation and study author-
4 ized and directed by this resolution; (11) to have direct
5 access through the agency of any members of the select
6 committee or any of its investigatory or legal assistants
7 designated by it or its chairman or the ranking minority
8 member to any data, evidence, information, report, analysis,
9 or document or papers, relating to any of the matters or
10 questions which it is authorized and directed to investigate
11 and study in the custody or under the control of any depart-
12 ment, agency, officer, or employee of the executive branch
13 of the United States Government, including any department,
14 agency, officer, or employee of the United States Govern-
15 ment having the power under the laws of the United States
16 to investigate any alleged criminal activities or to prosecute
17 persons charged with crimes against the United States and
18 any department, agency, officer, or employee of the United
19 States Government having the authority to conduct intelli-
20 gence or surveillance within or outside the United States,
21 without regard to the jurisdiction or authority of any other
22 Senate committee, which will aid the select committee to
23 prepare for or conduct the investigation and study authorized
24 and directed by this resolution; and (12) to expend to the

1 made available to it by the Senate to perform the duties
2 and exercise the powers conferred upon it by this resolution
3 and to make the investigation and study it is authorized by
4 this resolution to make.

5 (b) Subpenas may be issued by the select committee
6 acting through the chairman or any other member designated
7 by him, and may be served by any person designated by
8 such chairman or other member anywhere within the borders
9 of the United States. The chairman of the select committee,
10 or any other member thereof, is hereby authorized to admin-
11 ister oaths to any witnesses appearing before the committee.

12 (c) In preparing for or conducting the investigation
13 and study authorized and directed by this resolution, the
14 select committee shall be empowered to exercise the powers
15 conferred upon committees of the Senate by section 6002 of
16 title 18, United States Code, or any other Act of Congress
17 regulating the granting of immunity to witnesses.

18 SEC. 4. The select committee shall have authority to
19 recommend the enactment of any new legislation or the
20 amendment of any existing statute which it considers neces-
21 sary or desirable to strengthen or clarify the national secu-
22 rity, intelligence, or surveillance activities of the United
23 States and to protect the rights of United States citizens
24 with regard to those activities.

25 SEC. 5. The select committee shall make
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1 of the results of the investigation and study conducted by
2 it pursuant to this resolution, together with its findings and
3 its recommendations as to new congressional legislation it
4 deems necessary or desirable, to the Senate at the earliest
5 practicable date, but no later than September 1, 1975. The
6 select committee may also submit to the Senate such interim
7 reports as it considers appropriate. After submission of its
8 final report, the select committee shall have three calendar
9 months to close its affairs, and on the expiration of such
10 three calendar months shall cease to exist.

11 SEC. 6. The expenses of the select committee through
12 September 1, 1975, under this resolution shall not exceed
13 \$750,000 of which amount not to exceed \$100,000 shall be
14 available for the procurement of the services of individual
15 consultants or organizations thereof. Such expenses shall be
16 paid from the contingent fund of the Senate upon vouchers
17 approved by the chairman of the select committee.

Calendar No. 2

94TH CONGRESS
1ST Session
S. RES. 21

RESOLUTION

To establish a select committee of the Senate to conduct an investigation and study with respect to intelligence activities carried out by or on behalf of the Federal Government.

By Mr. PASTORE

JANUARY 21, 1976

Ordered to be placed on the calendar (under general orders)

JAN 29 9 07 AM '75

ER

Approved For Release 2002/02/13 : CIA-RDP80B01622R000100040056-4

28 January 1975

MEMORANDUM FOR: General Counsel

SUBJECT : Agency Role in Anti-Trust Investigation of Overseas Oil Companies

1. Ed Proctor has asked me to explore with your office some reservations he has concerning the proposed letter to Assistant Attorney General Kauper.

2. He is still very concerned that even the limited degree of cooperation could be tantamount to assuming a "law enforcement" function. At a minimum, it would seem to be the sort of activity we would be obliged to report to the Rockefeller Commission and to our congressional investigators. We realize that soundings were taken in the oversight committees and that we were advised to cooperate with the Justice Department. But if memory serves, those views were expressed before the Seymour Hersh article appeared. Ed Proctor thinks we should consult again to see whether the committees are still of the same opinion.

3. Assuming that we do decide to cooperate, the letter does not specify what happens next. To enable us to proceed in an orderly fashion, we think the final paragraph of the letter should be re-phrased to read along the following lines:

"If this is satisfactory, I will be happy to meet with your representatives to discuss which materials may be germane to your inquiry under the above guidelines, and to make specific arrangements for providing the appropriate documents."

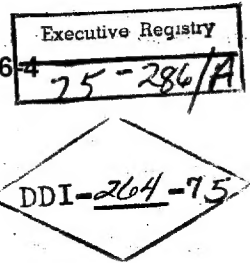
Representatives from the offices that will be called upon to provide materials could attend such a meeting.

Chief
DDI Executive Staff

STATINTL

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Administrative - Internal Use Only



28 JAN 1975

Dr. Albert Wohlstetter
Department of Political Science
University of Chicago
5801 Ellis Avenue
Chicago, Illinois 60637

Dear Dr. Wohlstetter:

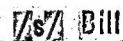
STATINTL

It is indeed gratifying to receive a letter such as you sent me on 23 January. I have sent copies of it to [REDACTED] who presented their analytical findings to the CNO Executive Panel.

Your letter recognizes the quality and kind of analytical work that I believe is the real raison d'etre of CIA. With all the current publicity about the Agency, I wish more people outside government could come to realize this and to appreciate how important our analysis and reporting are to people who formulate and implement US national security policy. I shall try to make this point in my appearances before the various panels which are investigating the Agency.

Again, thank you for your kind words, especially at this time.

Sincerely,

 Bill

W. E. Colby
Director

STATINTL

CONCUB

[REDACTED]
Deputy Director for Intelligence

28 JAN 1975

Date

STATINTL

O/DDI: [REDACTED] Im (28 Jan 75)

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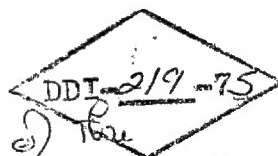
Connecticut Avenue at Calvert Street, N.W., Washington, D.C. 20008 / Tel. 202-234-0700.

Americana

The Director of
Central Intelligence

Thursday, Jan 23

Dear Mr. Colby,



In the middle of the
indiscriminate attack on your vital
Agency, I think you might be pleased
to hear about the first-class work
of some members of your staff and
of the reaction to it of some
highly discriminating judges of such
work on the CNO Executive Panel

Last Friday Dr.

[Redacted] of [Redacted]
[Redacted] reported on their work. It
was thoughtful & important & both
men showed a nice measured

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appreciation of the endeavor for their
views. We were most impressed
& grateful.

Sincerely

Robert Wohlschlag

ER

JAN 24 11 32 AM '75

JAN 23 2 05 PM '75

ER

JAN 22 5 50 PM '75

ER

DCI/DDCI
Routing Slip

TO:

		ACTION	INFO.			ACTION	INFO.
1	DCI			11	LC		
2	DDCI			12	IG		
3	S/MC			13	Compt		
4	DDS&T			14	Asst/DCI		
5	DDI	X		15	AO/DCI		
6	DDM&S			16	Ex/Sec		
7	DDO			17			
8	D/DCI/IC			18			
9	D/DCI/NIO			19			
10	GC			20			

SUSPENSE _____

Date

Remarks:

Please convey my thanks and
appreciation to [REDACTED]

STATINTL

*And draft a
Thank you to Jr W.*

[Signature]

DCI/DDCI

1/24/75